

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARTHUR CAMPBELL,

Plaintiff,

v.

CYNTHIA GAUSE, *et. al.*,

Defendants.

Case No. 10-11371

Honorable John Corbett O'Meara

**ORDER DENYING AS MOOT
PLAINTIFF'S SEPTEMBER 2, 2014 MOTION FOR STAY;
GRANTING PLAINTIFF'S JANUARY 15, 2015 MOTION FOR RELIEF FROM ORDER
GRANTING DEFENDANTS' MOTION FOR COSTS AND ATTORNEY FEES; AND
VACATING THE AUGUST 21, 2014 ORDER AWARDING COSTS AND FEES**

This matter came before the court on plaintiff Arthur Campbell's September 2, 2014 motion for stay regarding the court's August 21, 2014 order granting in part Defendants' motion for costs and attorney fees and his January 15, 2015 motion for relief from judgment granting costs and attorney fees. No responses were filed, and no oral argument was heard.

Plaintiff's September 2, 2014 motion sought a stay in the court's order awarding costs and attorney fees to the defendants until after a ruling on appeal by the United States Court of Appeals for the Sixth Circuit. That motion was rendered moot following the December 18, 2014 opinion from the appellate court and its January 12, 2015 mandate.

Plaintiff's subsequent motion seeks relief from the order awarding costs and attorney fees. The order of the Court of Appeals affirmed in part this court's judgment, vacated in part the judgment, and remanded the case for further proceedings. Accordingly, the court will grant Plaintiff's motion

and vacate the court's August 21, 2014 order granting in part Defendants' motion for costs and attorney fees.

ORDER

It is hereby **ORDERED** that plaintiff Arthur Campbell's September 2, 2014 motion for stay is **DENIED AS MOOT**.

It is further **ORDERED** that plaintiff Arthur Campbell's January 15, 2015 motion for relief from order granting in part Defendants' motion for costs and attorney fees is **GRANTED**.

It is further **ORDERED** that the court's August 21, 2014 order granting in part Defendants' motion for costs and attorney fees is **VACATED**.

s/John Corbett O'Meara
United States District Judge

Date: February 12, 2015

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, February 12, 2015, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager